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April 25, 1994

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Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW Room 222
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

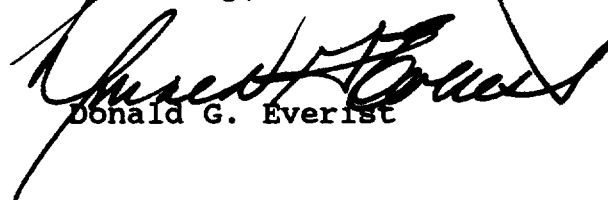
Re: ET Docket No. 93-62
Reply Comments

Dear Mr. Caton:

Enclosed are ten copies (original and nine) of the reply comments prepared by this office in the Notice of Proposed Rule Making, ET Docket No. 93-62 entitled, "In the Matter of Guidelines for Evaluating the Environmental Effects of Radio Frequency Radiation".

If there are any questions or comments concerning this filing, please contact the undersigned.

Sincerely,



Donald G. Everist

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Encl.

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Before The
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OFFICE OF SECRETARY

In the Matter of)
Guidelines for Evaluating)
the Environmental Effects of) ET Docket No. 93-62
Radiofrequency Radiation)

Notice of Proposed Rule Making
Reply Comments

INTRODUCTION

These comments have been prepared by the consulting engineering firm of Cohen, Dippell and Everist, P.C. ("CDE") as reply comments in response to the Commission's Notice of Proposed Rule Making ("NPRM") in ET Docket No. 93-62.

In the NPRM the Commission has proposed to revise Sections 1.1301 to 1.1319 of its rules to incorporate the radiofrequency (RF) exposure standards recently adopted by the American National Standards Institute ("ANSI") and the Institute of Electrical and Electronic Engineers, Inc. ("IEEE"), ANSI/IEEE C95.1-1992. This firm continues to believe that the adoption of the ANSI/IEEE C95.1-1992 guidelines with respect to the RF exposure standards will further the objective of NEPA^{1/}. Specifically, CDE reply comments are offered concerning the following topics.

^{1/}National Environmental Policy Act of 1969

<u>Commentor</u>	<u>Topic</u>
Ford Motor Company	20 cm measurement
Broadcast Joint Petitioners ^{2/}	Induced and contact standards; transient passage; and transition period
Association of Federal Communications Consulting Engineers	Exposure prediction methods

The Ford Motor Company foresees a complication with regard to "...new standards within 20 cm of any object..." (see Page 5, second paragraph). For the broadcast environment, this firm has found the measurement and interpretation of intense, localized electromagnetic fields described in General Docket 88-469, FCC 89-354 entitled, "Request for Declaratory Ruling Radio Frequency Radiation Compliance"^{3/} very constructive. We believe that this document for broadcast measurement determinations has been useful and eliminates unnecessary confusion.

The Broadcast Joint Petitioners^{4/} raised several concerns regarding induced and contact standards, (Section IV, Pages 18-24), transient passage Section IV-B, Pages 27-30, and transition period (Section IV, Pages 34-38). This firm shares the view expressed by Broadcast Joint Petitioners regarding induced and contact standards which urges the Commission to undertake an effort to identify appropriate meters and to incorporate the data into a revised technical

^{2/}Joint Comments of CBS Inc., Capital Cities/ABC, Inc., Greater Media, Inc., Tribune Broadcasting Company and Westinghouse Broadcasting Company, Inc.

^{3/}Published Federal Register, Volume 55, No. 161, January 24, 1990

^{4/}Ibid.

bulletin similar to FCC Bulletin No. OST-65. It also supports our contention that the adoption of these guidelines be held in abeyance until a reasonable and prudent understanding and implementation can be made. On the second item, Broadcast Joint Petitioners take issue with averaging exposure levels of induced currents over one-second intervals. This firm agrees with the Broadcast Joint Petitioners that such an interpretation for the broadcast industry would yield impractical and unintended results. This firm supports their suggestion that referral to and clarification from the appropriate IEEE subgroup is warranted. With reference to the third issue, the Broadcast Joint Petitioners believe a transition period after the revision of Technical Bulletin OST-65 is necessary. We support such a transition period and we believe that a two year period before FCC implementation and enforcement would be reasonable.

The Association of Federal Communications Consulting Engineers ("AFCCE") in its submission made a recommendation for the revision of OST Bulletin 65 (Page 6). We support AFCCE's recommendation regarding a mutual effort by the Commission's staff and industry to achieve a comprehensive revision. We also urge that the Commission in the broadcast area make provisions in its technical data base to enter the type of FM and TV antennas for each applicant, construction permit holder or licensee^{5/}. Access of an antenna file for individual broadcast licensee will greater assist in a more accurate RFR assessment.

^{5/}Appropriate amendment of Section 73.1690 of the FCC Rules should be addressed.

COHEN, DIPPELL AND EVERIST, P. C.

REPLY COMMENTS
ET DOCKET NO. 93-62

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CDE appreciates the magnitude of effort required for the Commission to revise its rules regarding regarding radiofrequency radiation and we stand ready to assist the Commission if the situation warrants.

Respectfully Submitted By

A handwritten signature in black ink, appearing to read "Donald G. Everist", written over a horizontal line.

Donald G. Everist, President

Date: April 25, 1994